

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. 08_____</b>
<b>v.</b>	<b>:</b>	<b>DATE FILED: _____</b>
<b>YOURA ORN</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>MONY SEREY</b>	<b>:</b>	<b>18 U.S.C. § 371 (conspiracy - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 1960 (operating an</b>
	<b>:</b>	<b>unlicensed money transmitting</b>
	<b>:</b>	<b>business -1 count)</b>
	<b>:</b>	<b>31 U.S. C. § 5332 (bulk cash</b>
	<b>:</b>	<b>smuggling -1 count)</b>
	<b>:</b>	<b>31 U.S.C. § 5316 (failure to prepare</b>
	<b>:</b>	<b>report on exporting and importing</b>
	<b>:</b>	<b>monetary instruments - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 1001 (false statement - 1count)</b>
	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>
	<b>:</b>	<b>Notices of forfeiture</b>

**SUPERSEDING INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times material to this indictment:

1. Defendants YOURA ORN and MONY SEREY operated a money transmitting business in Philadelphia, Pennsylvania.
2. YOURA ORN and MONY SEREY did not possess a license from the Commonwealth of Pennsylvania to operate a money transmitting business.
3. YOURA ORN and MONY SEREY did not register their money transmitting business with the United States Secretary of the Treasury.

4. From in or about 2004 through on or about September 27, 2007 in the Eastern District of Pennsylvania and elsewhere, defendants

**YOURA ORN, and  
MONY SEREY**

conspired and agreed, together and with others known and unknown to the grand jury, to commit offenses against the United States, that is, to: (a) knowingly conduct, control, manage, supervise and direct part or all of an unlicensed money transmitting business, in violation of Title 18, United States Code, Section 1960; and (b) knowingly conceal, with the intent to evade a currency reporting requirement under Title 31, United States Code, Section 5316, more than \$10,000 in United States currency in an attempt to transport this currency from a place within the United States to a place outside the United States, in violation of Title 31, United States Code, Sections 5316 and 5332(a).

**MANNER AND MEANS**

\_\_\_\_\_ It was part of the conspiracy that:

5. Defendants YOURA ORN and MONY SEREY operated a business in Philadelphia, Pennsylvania in which they charged a fee for transmitting funds by wire and transporting cash in person from the United States to Phnom Penh, Cambodia.

6. Defendants YOURA ORN and MONY SEREY charged a fee which ranged from three to four percent for every \$100 they transported or transmitted from Philadelphia, Pennsylvania to Phnom Penh, Cambodia.

7. Defendants YOURA ORN and MONEY SEREY transported currency from the United States to Cambodia without filing the required declaration when leaving the country.

### **OVERT ACTS**

In furtherance of the conspiracy, defendants YOURA ORN and MONY SEREY and others known and unknown to the grand jury, committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. From on or about April 8, 2004, to on or about September 27, 2007, defendants YOURA ORN and MONY SEREY accepted cash for wire transmission and transport in person from Philadelphia, Pennsylvania to Phnom Penh, Cambodia. The defendants charged a fee between three and four percent for every \$100 of United States currency to be transported or transmitted.

2. Beginning on or about April 8, 2004 and continuing to on or about March 15, 2007, in furtherance of this money transmitting business, the defendants sent, by wire, from Wachovia Bank in Philadelphia to banks in Phnom Phen, Cambodia the following amounts of money:

<b>Date</b>	<b>Amount</b>	<b>Originator</b>	<b>Beneficiary</b>	<b>Location</b>	<b>Bank</b>
4/8/2004	\$9,850	Youra Orn	T.V.	Phnom Phen, Cambodia	Acleda Bank
6/3/2004	\$9,980	Youra Orn	T.V.	Phnom Phen, Cambodia	HSBC Bank
7/8/2004	\$9,980	Youra Orn	T.V.	Phnom Phen, Cambodia	Acleda Bank

12/21/2004	\$50,000	Youra Orn	T.V.	Phnom Phen, Cambodia	Acleda Bank
4/25/2005	\$20,000	Youra Orn	T.V.	Phenom Phen, Cambodia	Acleda Bank
9/28/2005	\$18,000	Youra Orn	N.N.	Phnom Phen, Cambodia	Acleda Bank
3/16/2006	\$15,000	Youra Orn	N.N.	Phenom Phen, Cambodia	Acleda Bank
4/6/2006	\$19,000	Youra Orn	N.N.	Phenom Phen, Cambodia	Acleda Bank
3/15/2007	\$30,000	Youra Orn	T.V.	Phenom Phen, Cambodia	Acleda Bank

3. Beginning on or about May 19, 2004 and continuing to on or about December 27, 2006, in furtherance of this money transmitting business, the defendants sent, by wire, from PNC Bank in Philadelphia to a bank in Cambodia, the following amounts of money:

<b>Date</b>	<b>Amount</b>	<b>Originator</b>	<b>Beneficiary</b>	<b>Location</b>	<b>Bank</b>
5/19/2004	\$9,980	Youra Orn	T.V.	Phenom Phen, Cambodia	Acleda Bank
9/16/2004	\$9,980	Youra Orn	T.V.	Phenom Phen, Cambodia	Acleda Bank
12/31/2004	\$50,000	Youra Orn	T.V.	Phenom Phen, Cambodia	Acleda Bank
4/25/2005	\$15,000	Youra Orn	T.V.	Phenom Phen, Cambodia	Acleda Bank

8/25/2005	\$40,000	Youra Orn	T.V.	Phenom Phen, Cambodia	Acleda Bank
3/16/2006	\$30,000	Youra Orn	N.N.	Phenom Phen, Cambodia	Acleda Bank
4/6/2006	\$22,000	Youra Orn	N.N.	Phenom Phen, Cambodia	Acleda Bank
4/7/2006	\$22,000	Youra Orn	N.N.	Phenom Phen, Cambodia	Acleda Bank
12/27/2006	\$25,000	Youra Orn	N.N.	Phenom Phen, Cambodia	Acleda Bank

4. On or about September 27, 2007, defendants YOURA ORN and MONY SEREY assembled and wrapped in bundles approximately \$271,528 in United States currency collected for transportation to Cambodia.

5. On or about September 27, 2007, defendants YOURA ORN and MONY SEREY placed the wrapped bundles of currency in the bottom of hand luggage the person of defendant SEREY to get the currency aboard a flight to Cambodia.

6. On or about September 27, 2007, defendant MONY SEREY traveled from Philadelphia, Pennsylvania to John F. Kennedy International Airport in New York, New York to board a China Air Flight scheduled to fly from New York to Cambodia with an intermediate stop in Taipei, Taiwan.

7. On or about September 27, 2007, defendant MONY SEREY did not complete an accurate currency registration form, that is, a Report of International Transportation of Currency or Monetary Instruments, declaring the total amount of currency concealed in his luggage and on his person to be transported from the United States.

\_\_\_\_\_ All in violation of Title 18, United States Code, Section 371.

## **COUNT TWO**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 3 and paragraphs 5 through 7 and overt acts 1 through 7 of Count One are incorporated here.
2. At no time beginning in or about October 2004 through on or about September 27, 2007, did defendants YOURA ORN and MONY SEREY register their money transmitting business with the United States government as required by law.
3. Beginning in or about October 2004 and continuing to on or about September 27, 2007, defendants

### **YOURA ORN, and MONY SEREY**

knowingly conducted, controlled, managed, supervised, directed and owned part or all of an unlicensed money transmitting business, that is, a business required to register with the Financial Crimes Enforcement Network (“FinCEN”), an agency of the United States Government, and aided and abetted the conduct, control, management, supervision, direction or ownership of their money transmitting business, which business affected interstate and foreign commerce.

In violation of Title 18, United State Code, Sections 1960 (a) and (b)(1)(B) and 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 27, 2007, at Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**YOURA ORN, and  
MONY SEREY**

knowingly concealed, and aided and abetted the concealment of, with the intent to evade a currency reporting requirement under Title 31, United States Code, Section 5316, specifically FinCEN Form 105, also known as Customs Form 4790 (Report of International Transportation of Currency or Monetary Instruments), more than \$10,000 in United States currency, that is, approximately \$271,528, in luggage and on the body of defendant MONY SEREY, that he attempted to transport from a place within the United States to a place outside of the United States.

In violation of Title 31, United States Code, Section 5332(a)(1) and Title 18, United States Code, Section 2.



**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 27, 2007, in the Eastern District of Pennsylvania and  
else where, defendants\_\_\_\_\_

**YOURA ORN, and  
MONY SEREY**

knowingly and willfully failed to file an accurate United States Customs Form 4790 (Report of International Transportation of Currency of Money Instruments), as required by and described in Title 31, United States Code, Section 5316(b), prior to boarding an airplane destined to a location outside the United States, when they well knew and believed that they were about to transport more than \$10,000 in United States currency , that is approximately \$271,528, from a place inside the United States to a place outside the United States without having filed the report required by United States law.

In violation of Title 31, United States Code, Sections 5316(a)(1)(A), 5316(b)  
and Title 18, United States Code, Section 2.

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**COURT FIVE**

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 27, 2007, in the Eastern District of New York,  
defendant

**MONY SEREY**

in a matter within the jurisdiction of the Bureau of Immigration and Customs Enforcement, an agency of the executive branch of the United States, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in that when asked how much money he was carrying to Cambodia, defendant SEREY told agents several different amounts up to approximately \$150,000 when as the defendant knew that these statements were false because he was carrying approximately \$271,528 at the time.

In violation of Title 18, United States Code, Section 1001(a)(2).

**NOTICE OF FORFEITURE ONE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 18, United States Code, Section 1960 set forth in this indictment, defendants

**YOURA ORN  
MONY SEREY**

shall forfeit to the United States of America any and all property involved in such offenses and any property traceable to such property, including, but not limited to the sum of \$ 405,770.

2. If any of the property subject to forfeiture as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court
- \_\_\_\_\_ (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982 incorporating Title 21, United States Code, Section 853(p), and Title 31, United States Code Section, 5332(b)(2), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(1)

**NOTICE OF FORFEITURE TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 31, United States Code,  
Section 5332(a) set forth in this indictment, defendants

**YOURA ORN  
MONY SEREY**

shall forfeit to the United States of America any and all property involved in such offenses and  
any property traceable to such property, including, but not limited to the sum of \$ 271,528.

2. If any of the property subject to forfeiture as a result of any act or  
omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court
- \_\_\_\_\_ (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided  
without difficulty;

it is the intent of the United States, pursuant to Title 31, United States Code Section, 5332(b)(2), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 31, United States Code, Section 5332(b)(3).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**LAURIE MAGID**  
**ACTING UNITED STATES ATTORNEY**